

THE STATE OF TEXAS

TO THE DEFENDANT: NATIONAL REPUBLICAN SENATORIAL COMM

YOU HAVE BEEN SUED. YOU MAY EMPLOY AN ATTORNEY TO HELP YOU IN DEFENDING AGAINST THIS LAWSUIT. BUT YOU ARE NOT REQUIRED TO EMPLOY AN ATTORNEY. YOU OR YOUR ATTORNEY MUST FILE AN ANSWER WITH THE COURT. YOUR ANSWER IS DUE BY THE END OF THE 14TH DAY AFTER THE DAY YOU WERE SERVED WITH THESE PAPERS. IF THE 14TH DAY IS A SATURDAY, SUNDAY, OR LEGAL HOLIDAY, YOUR ANSWER IS DUE BY THE END OF THE FIRST DAY FOLLOWING THE 14TH DAY THAT IS NOT A SATURDAY, SUNDAY, OR LEGAL HOLIDAY. DO NOT IGNORE THESE PAPERS. IF YOU DO NOT FILE AN ANSWER BY THE DUE DATE, A DEFAULT JUDGMENT MAY BE TAKEN AGAINST YOU. FOR FURTHER INFORMATION, CONSULT PART V OF THE TEXAS RULES OF CIVIL PROCEDURE, WHICH IS AVAILABLE ONLINE AND ALSO AT THE COURT LISTED ON THIS CITATION.

IF YOU FAIL TO FILE AN ANSWER, JUDGMENT BY DEFAULT MAY BE RENDERED AGAINST YOU FOR THE RELIEF DEMANDED IN THE PETITION. A COPY OF PLAINTIFF'S PETITION IS ATTACHED HERETO AND MADE A PART HEREOF AS THOUGH WRITTEN IN.

GIVEN UNDER MY HAND OFFICIALLY, THIS APRIL 06, 2022.

JUDGE JUAN JASSO
JUSTICE OF THE PEACE
PRECINCT 5 PLACE 2
DALLAS COUNTY

DOCKET NO: JS22-00133P

SUIT DESCRIPTION:
SMALL CLAIM

PLAINTIFF(S):
HORTON, LUCAS
4834 VICKSBURG
DALLAS, TX 75207
(214) 909 3341

VS.

DEFENDANT(S):
NATIONAL REPUBLICAN SENATORIAL C
425 2ND ST NE
WASHINGTON, DC 20002
(202) 675 6000

CITATION
IN THE JUSTICE COURT

FILED ON: 04-06-2022

CITATION ISSUED: 04-06-2022
CITATION ISSUED TO
PLAINTIFF

JUAN JASSO
JUSTICE OF THE PEACE
PRECINCT 5, PLACE 2
DALLAS COUNTY
702 E JEFFERSON BLVD
DALLAS, TEXAS 75203
(214) 943-5981



JUDGE JUAN JASSO
Justice of the Peace Precinct 5-2
410 S. Beckley Ave
Dallas, TX 75203
214-943-5981 OFFICE
214-943-3695 FAX

FOR COURT USE ONLY:
CASE NO JS 22-00133 P
PRECINCT/COUNTY

2022 JPB-6 PR 20
DALLAS COUNTY TEXAS
JUSTICE OF THE PEACE

PETITION: SMALL CLAIMS CASE
In the Justice Court, Precinct 5 Place 2, Dallas County, Texas

PLAINTIFF (DEMANDANTE) Lucas Horton
VS.

DEFENDANT(S) (DEMANDADO) National Republican Senatorial Committee. No RA info on SOS website. Serve whomever receives the mail

If Corporation/Company... Need Agent's name to be served

DEFENDANT(s) Address/City/State/Zip 425 2nd St NE Washington, DC 20002

COMPLAINT: The basis for the claim which entitles the plaintiff to seek relief against the defendant is:
See Attached

RELIEF: Plaintiff seeks damages in the amount of \$ 3000, and/or return of personal property as described as follows (be specific): _____, which has a value of \$ _____.

SERVICE OF CITATION: Service is requested on defendants by personal service at home or work or by alternative service as allowed by the Texas Justice Court Rules of Court. Other addresses where the defendant(s) may be served are: Plaintiff will have the Defendant served by an out of state 3rd party process server

If you wish to give your consent for the answer and any other motions or pleadings to be sent to your email address, please check this box, and provide your valid email address:

lukeduke365@yahoo.com

Lucas Horton
Plaintiff Printed Name

Signature of Plaintiff

DEFENDANT(S) INFORMATION (if known): 4834 Vicksburg
DATE OF BIRTH: ____/____/____

Address of Plaintiff

Last 3 Numbers of Social Security: _____
Last 3 Numbers of Driver License: _____
Defendant's Phone Number: 202-675-6000 _____

City dallas _____ State TX _____ ZIP 75207 _____

214-909-3341 _____
Phone & Fax No of Plaintiff's

**LUCAS HORTON,
Plaintiff,
v.
National Republican Senatorial
Committee
Defendant.**

IN THE DALLAS COUNTY

JUSTICE COURT

PRECINCT 5, PLACE 2

DALLAS, TEXAS

Plaintiff Lucas Horton (“Plaintiff”) brings this Complaint against National Republican Senatorial Committee. (“Defendant”) for Defendant’s practice of sending of illegal and unwanted texts to consumers and to obtain damages and other redress caused by Defendant’s conduct. Plaintiff, for his Complaint, alleges as follows upon personal knowledge as to himself and his own acts and experiences, and, as to all other matters, upon information and belief.

JURISDICTION & VENUE

1. The Court has subject matter jurisdiction over this action pursuant Texas Business and Commerce Code 305.053 ("TX 305") and 28 U.S.C. § 1331, as the claims arises under the Telephone Consumer Protection Act 47 U.S.C. § 227(b)(1)(A)(iii), and 47 U.S.C. § 227(b)(1)(B), both of which provide for separate private rights of action.

PARTIES

2. Plaintiff is an individual who resides in Dallas County, Texas. Defendant is a corporation incorporated and existing under the laws of the District of Columbia and whose primary place of business is 425 2nd St NE, Washington, DC 20002.

COMMON FACTUAL ALLEGATIONS

1. Defendant or its proxies place unwanted texts to consumer cellphones for the purpose of soliciting donation for the GOP and it's candidates.
2. The text at issue in this case was sent by, on behalf of, and/or for the benefit of, and with the knowledge and approval of the Defendant.
3. By making unauthorized texts as alleged herein, Defendant has caused consumers like the Plaintiff actual harm. This includes loss of productivity, the aggravation, nuisance and

invasions of privacy that result from the placement and receipt of such texts, in addition to the wear and tear on their telephones, consumption of battery life, lost ability to place outgoing texts and other interruption in use, cellular minutes, loss of value realized for the monies consumers paid to their carriers for the receipt of such texts, and other diminished use, enjoyment, value, and utility of their cellphones and cellphone plans.

4. Furthermore, Defendant (or a third-party acting on its behalf and for its benefit) sends the texts knowing that they trespass against and interfered with Plaintiff use and enjoyment of, and the ability to access, their telephones, including the related data, software, applications, and hardware components.
5. Defendant's proxy, (winred.com), knowingly made, and continue to make repeated texts to consumers' telephones without the prior express consent of the recipients.
6. As such, Defendant not only invaded the personal privacy of Plaintiff it also intentionally, repeatedly, and willfully violates the TCPA.
7. The TCPA was enacted to protect consumers from unsolicited telephone texts like those alleged in this case.
8. In response to Defendant's unlawful conduct, Plaintiff files the lawsuit and seeks an injunction requiring Defendant to cease all unsolicited telephone texting activities to consumers as complained of herein and an award of statutory damages to the Plaintiff, together with costs, and pre- and post-judgment interest.

FACTS SPECIFIC TO PLAINTIFF

9. Plaintiff is the owner and customary user of a cellphone number ending in 3341.
10. Plaintiff has been on the National DNC list since Dec 2011.
11. At no time did Plaintiff ever provide any kind of consent, written or verbal, to be texted.
12. Plaintiff was texted from 256-500-4861 on March 1st, 2022 with a text wanting to hear the Defendant's thoughts on the DISASTROUS Biden-Harris administration.
13. The telephone number that Defendant, or its agent, sent the text message to was assigned to a cellular telephone service for which Plaintiff incurs a charge for incoming text messages pursuant to 47 U.S.C. § 227 (b)(1).
14. The text messages placed to Plaintiff's cellular telephone were made using an "automatic telephone dialing system" as defined at 47 U.S.C. § 227(a)(1) and as explained in subsequent FCC regulations and orders. The system(s) used by Defendant has/have the

capacity to store numbers, or to produce telephone numbers to send text messages using a random or sequential number generator. This is evidenced by:

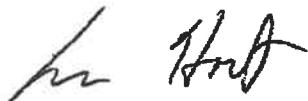
- a. The similar content and structure of the messages;
- b. That incoming messages are not monitored;
- c. That the number used to send the text messages does not accept incoming phone calls;
- e. That none of the messages were sent with human intervention.

15. By making unsolicited texts as alleged herein, Defendant has caused Plaintiff actual harm, including: (a) the aggravation, nuisance, and invasions of privacy that result from the placement of such texts, (b) wear and tear on their telephones, (c) interference with the use of their phones, (d) consumption of battery life, (e) loss of value realized for monies consumers paid to their wireless carriers for the receipt of such texts, and (f) the diminished use, enjoyment, value, and utility of their telephone plans.

16. Furthermore, Defendant made the texts knowing they trespassed against and interfered with Plaintiff's use and enjoyment of, and the ability to access their phones, including the related data, software, and hardware components.

Dated: 3/30/2022

Respectfully submitted,



Lucas Horton
lukeduke365@yahoo.com
1202 Stratford Dr
Richardson, TX 75080
Tel: (214) 909-3341

CAUSE NO. _____

-P

Plaintiff

\$ JUSTICE OF THE PEACE

vs

\$ PRECINCT 5, PLACE 2

Defendant

\$ DALLAS COUNTY, TEXAS

ORIGINAL ANSWER

TO THE HONORABLE JUDGE OF SAID COURT:

Come now,

Defendant, makes and files this, an Original Answer, and respectfully shows:

Respectfully Submitted,

Signed _____

Defendant/Pro Se

Address _____

Phone _____

DO YOU NEED AN INTERPRETER?/NECESITA UN INTERPRETE (YES) OR (NO)
LANGUAGE/IDIOMA _____ COST/COSTO \$110.00

CERTIFICATE OF SERVICE

Pursuant to Rule 502.5 you must also serve a copy of the answer on the plaintiff. If you are uncertain, consult a competent attorney.

I do hereby certify that I will mail a true and correct copy of this Original Answer to the Plaintiff on the

_____ day of _____, 20 _____.

Signed _____